

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

MUSAB MOHAMED ALHUSSEIN,)	
)	
Plaintiff,)	
)	
v.)	No. 23-cv-2694-SHM-tmp
)	
MURCES MOHAMED OSMAN,)	
)	
Defendant.)	

ORDER DISMISSING CASE WITHOUT PREJUDICE

On October 31, 2023, Plaintiff Musab Mohamed Alhussein, who was incarcerated at the Broward County Main Jail in Fort Lauderdale, Florida, filed a *pro se* complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1.) However, Plaintiff neglected to either pay the civil filing fee or submit a properly completed application to proceed *in forma pauperis* and a copy of his trust account statement as required by 28 U.S.C. § 1915(a)-(b)

The Court issued an order on November 7, 2023, directing Plaintiff to submit the required information or pay the entire \$402 civil filing fee within 30 days. (ECF No. 3.) Plaintiff was warned that if he failed to comply with the order in a timely manner, the Court would “assess the entire \$402 filing fee from his trust account without regard to the installment payment procedures, and dismiss the action without further notice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).”

Plaintiff filed a previous 42 U.S.C. § 1983 complaint, case 23-cv-2662, on October 18, 2023. The Court Order in that case was return on November 27, 2023, stamped, “NOT

IN CUSTODY, RETURN TO SENDER.” Based on the returned mail submitted in case 23-cv-2662 (ECF No. 5), the Court construes the Plaintiff has been released.

The most basic responsibility of a litigant is to keep the Court informed of his whereabouts. Despite his apparent release from the Broward County Main Jail, Plaintiff has failed to advise the Court of any change of address. Therefore, as it appears Plaintiff has abandoned this action, and this case is hereby DISMISSED without prejudice, pursuant to Federal Rule of Civil Procedure 41(b), for failure to prosecute.

IT IS SO ORDERED this 5th day of April, 2024.

/s/ Samuel H. Mays, Jr.
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE